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| APPLICATION NO.                    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------|-------------|----------------------|---------------------|------------------|
| 10/747,660                         | 12/29/2003  | Young Soon Kim       | 4000597-149267      | 1571             |
| 23570                              | 7590        | 06/19/2007           | EXAMINER            |                  |
| PORTER WRIGHT MORRIS & ARTHUR, LLP |             |                      | HSU, RYAN           |                  |
| INTELLECTUAL PROPERTY GROUP        |             |                      |                     |                  |
| 41 SOUTH HIGH STREET               |             |                      | ART UNIT            | PAPER NUMBER     |
| 28TH FLOOR                         |             |                      | 3714                |                  |
| COLUMBUS, OH 43215                 |             |                      |                     |                  |
| MAIL DATE                          |             | DELIVERY MODE        |                     |                  |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/747,660             | KIM, YOUNG SOON     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Ryan Hsu               | 3714                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All    b) Some \* c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-2 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Miller (5,681,108).**

Regarding claims 1 and 8, Miller discloses an information analysis apparatus for a golfer's play comprising: a system program memory unit for storing a system program therein which drives a main processing unit (*see data processor [125] of Fig. 1 and the related description thereof*). Additionally, Miller discloses an input data storage unit for storing inputted data, such as golfer's personal information, golf course information, and environmental information and an input unit for inputting information on play to the input data storage unit (*see input device [110] and output device [115] of Fig. 1 and the related description thereof*). The information analysis apparatus also incorporates a main processing unit having a microprocessor for processing the data stored in the input data storage unit and the system program stored in the system program memory unit by using the power supplied from a supply unit (*see col. 2: ln 48-col. 3: ln 24*). It is also noted that, Miller's apparatus uses the power supply unit for supplying power that drives the respective apparatus (*see data processor [125] of Fig. 1 and the related description thereof*). It is also noted that Miller's device incorporates the ability to track the scoring information of the player throughout the game play of a round of golf (*ie: score for each*

*hole) (see Fig. 7-8 and the related description thereof).* Furthermore, Miller discloses a display unit for display the data processed in the main processing unit (*see data processor [125]*, a speaker unit for outputting audio signals (*see output device [115] of Fig. 3 and the related description thereof*), and a communication unit for allowing the exchange of data with an external device (*see Fig. Fig. 14 and the relate description thereof*).

Regarding claim 2, Miller discloses the power supply unit to comprise of a battery unit having at least one of a primary cell and a secondary cell since all batteries inherently are comprised of cells or storage spaces for power (*see power device [120] of Fig. 1 and the related description thereof*).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 3-4, 9-10, are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller as applied to claims above, and Fischer (US 5,507,485) and further in view of Mengoli (US 6,514,081 B1).**

Regarding claims 3 and 9-10, Miller teaches a information analysis apparatus for a golfer's play that includes a card input unit having a card for reading inputted information and then storing the read information in the storage unit (*see col. 6: ln 1-15*). Additionally, Miller

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teaches a golfing apparatus that incorporates an audio signal unit for recognizing audio signals and then storing the received signals in the storage unit (*see Fig. 1 and the related description thereof*) and an the input unit of the apparatus to comprise of a key input unit having buttons for directly receiving data and storing the received data in the storage unit (*see input device [110] and output device [115] of Fig. 1 and the related description thereof*). However, Miller is silent with respect to a sensor input unit having a sensor for sensing information on holes, a driving distance, a position of a ball, and temperature and storing the sensed information in the storage unit and the incorporation of a video signal input unit having a camera lens mounted in for receiving a golfer's actions as motion picture signals and then storing the received signals in the storage unit.

In a related golf system patent, Fisher teaches of a sensor input unit for sensing information on holes, a driving distance, a position of a ball, and a temperature and storing the sensed information in the storage unit and incorporates a video display and then stores the video on the storage unit (*see Fig. 5 and the related description thereof*). One would be motivate to incorporate the features taught in Fisher in order to provide the golfer with useful information in deciding how to approach a stroke in a golf game. Therefore one would be motivated to incorporate the features of Fisher with that of Miller at the time the invention was made. However, the combination of Fisher and Miller are silent with respect to a video unit that incorporates a video signal input having a camera lens mounted in for receiving a golfer's actions as motion picture signals.

In another golfing system patent, Mengoli teaches a video unit that incorporates a camera lens mounted in for receiving a golfer's actions as motion picture signal and storing the received

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signals in a storage unit. Mengoli teaches that one would be motivated to incorporate such a feature into a golfing system in order to allow a player to visually analyze his/her swing motion and thereby improve their golf swing. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the features taught in Mengoli with that of Miller and Fisher.

Regarding claim 4, Miller discloses a key input unit that comprises a direction key for moving a cursor in top, bottom, right and left directions and functional keys of setting, cancellation, and completion (*see col. 4: ln 29-50*).

**Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller and Fischer (US 5,507,485) and Mengoli (US 6,514,081 B1) as applied to claims above and further in view of Kuesters (US 6,113,504).**

Regarding claim 5, Miller teaches an information apparatus however is silent with respect to a sensor input unit comprises a probe sensor for sensing a special material, wherein the probe sensor uses signals sent from a ball made of the special material to locate the position of the ball and then stores the located position of the ball in the storage unit.

In a related golfing patent, Kuesters teaches of a golf ball locator system. Keusters teaches of a special ball (*ie: special material*) that comprises of a transmitter (*see Fig. 3 and the related description thereof*), which is tracked by a portable tracking device (*see col. 3: ln 20-col. 4: ln 40*). The sensors of the tracking device senses and stores the location of the golf ball on the displayed map so that the player may store the location and know exactly where the location of the ball is on the golf course (*see Fig. 7 and the related description thereof*). One would be motivated to incorporate this feature of the golf ball locator system into the information analysis

apparatus of Miller in order to help prevent a golfer from losing their ball. As is well known in the golfing art, a player is penalized strokes when a ball is lost and the system of Kuesters would greatly improve the chances a player has of finding his/her ball. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the golf ball-locating device of Kuesters with that of Miller.

**Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller (US 5,681,108) as applied to claims above, and further in view of Kuesters (US 6,113,504).**

Regarding claims 11-12, Miller teaches an information apparatus however is silent with respect to a sensor input unit comprises a probe sensor for sensing a special material, wherein the probe sensor uses signals sent from a ball made of the special material to locate the position of the ball and then stores the located position of the ball in the storage unit.

In a related golfing patent, Kuesters teaches of a golf ball locator system. Keusters teaches of a special ball (*ie: special material*) that comprises of a transmitter (*see Fig. 3 and the related description thereof*), which is tracked by a portable tracking device (*see col. 3: ln 20-col. 4: ln 40*). The sensors of the tracking device senses and stores the location of the golf ball on the displayed map so that the player may store the location and know exactly where the location of the ball is on the golf course (*see Fig. 7 and the related description thereof*). One would be motivated to incorporate this feature of the golf ball locator system into the information analysis apparatus of Miller in order to help prevent a golfer from losing their ball. As is well known in the golfing art, a player is penalized strokes when a ball is lost and the system of Kuesters would greatly improve the chances a player has of finding his/her ball. Therefore it would have been

obvious to one of ordinary skill in the art at the time the invention was made to incorporate the golf ball-locating device of Kuesters with that of Miller.

**Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miller as applied to claims above, and further in view of Barnard (US 6,456,938 B1).**

Regarding claims 6-7 and 13-14, Miller teaches an information analysis apparatus that incorporates a main processing unit, a data storage unit and a display that is presented to the user. However is silent with respect to a input device that incorporates a touch screen.

In a related golf system patent, Barnard teaches of a personal dGPS golf course cartographer, navigator and tutoring device. Barnard teaches of an information analysis apparatus wherein the display unit comprises a touch screen for receiving new data (*see col. 18: ln 53-col. 19: ln 13*). Additionally, Barnard teaches of a communication system unit that comprises at least one of a USB port and an IrDA infrared port, an IEEE1394 connector and GPS communication rules for the exchange of data with the external device (*see col. 9: ln 50-col. 10: ln 65*). Furthermore, Barnard teaches a step wherein display on the input window on lie conditions, a distance and direction, until the putt is successful under s system program that operates an information analysis apparatus, and inputting data desired by the display unit through an input key, a touch screen or voice (*see Figs. 17-20 and the related description thereof*)). Barnard's system also allows for a step wherein the golfer is shown a suitable club, a shot direction, and a distance through characters and voice, when the information on the shots are input. One would be motivated to incorporate the features of a touch screen and GPS communications system in order to allow for an intuitive method of inputting instructions as well as providing accurate location sensing equipment into a device for tracking the progress made

through a golf course. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features touch screen and GPS system of Barnard with that of information golf information analysis apparatus device of Miller.

***Conclusion***

Any inquiry concerning this communication or earlier communication from the examiner should be direct to Ryan Hsu whose telephone number is (571)-272-7148. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E Pezzuto can be reached at (571)-272-6996.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, contact the Electronic Business Center (EBC) at 1-866-217-9197 (toll-free).



RH

June 8, 2007

/Scott Jones/

Primary Examiner, Art Unit 3714